

Assessment Engineer's Report

MIRA MESA MAINTENANCE ASSESSMENT DISTRICT

Annual Update for Fiscal Year 2009

under the provisions of the

San Diego Maintenance Assessment District Ordinance of the San Diego Municipal Code

and

Landscaping & Lighting Act of 1972 of the California Streets & Highways Code

Prepared For City of San Diego, California

Prepared By

Boyle Engineering Corporation

7807 Convoy Court, Suite 200 San Diego, CA 92111 (858) 268-8080

June 2008

CITY OF SAN DIEGO

Mayor

Jerry Sanders

City Council Members

Scott Peters Brian Maienschein
District 1 (Council President) District 5

Kevin Faulconer Donna Frye
District 2 District 6

Toni Atkins Jim Madaffer

District 7 (Council President Pro Tem)

Anthony Young Ben Hueso
District 4 District 8

City Attorney

Michael Aguirre

Chief Operating Officer

Jay Goldstone

City Clerk

Elizabeth Maland

Independent Budget Analyst

Andrea Tevlin

City Engineer

Afshin Oskoui

Assessment Engineer

Boyle Engineering Corporation

Table of Contents

Assessment Engineer's Report Mira Mesa Maintenance Assessment District

Preamble	1
Executive Summary	2
Background	3
District Proceedings for Fiscal Year 2009	3
Bond Declaration	4
District Boundary	4
Project Description	5
Separation of General and Special Benefits	5
Cost Estimate	6
Estimated Costs	6
Annual Cost-Indexing	6
Method of Apportionment	7
Estimated Benefit of the Improvements	7
Apportionment Methodology	7
Land Use Factor	8
Benefit Factor	10
Location Factor	12
Equivalent Benefit Units (EBUs)	12
Summary Results	13

EXHIBITS

Exhibit A: Boundary Map

Exhibit B: Estimated Annual Expenses, Revenues & Reserves

Exhibit C: Assessment Roll

Preamble

Pursuant to the provisions of the "San Diego Maintenance Assessment District Ordinance" (being Division 2, Article 5, Chapter VI beginning at Section 65.0201 of the San Diego Municipal Code), provisions of the "Landscaping and Lighting Act of 1972" (being Part 2 of Division 15 of the California Streets and Highways Code), applicable provisions of "Proposition 218" (being Article XIIID of the California Constitution), and provisions of the "Proposition 218 Omnibus Implementation Act" (being California Senate Bill 919) (the aforementioned provisions are hereinafter referred to collectively as "Assessment Law"), in connection with the proceedings for the MIRA MESA MAINTENANCE ASSESSMENT DISTRICT (hereinafter referred to as "District"), BOYLE ENGINEERING CORPORATION, as Assessment Engineer to the City of San Diego for these proceedings, submits herewith this report for the District as required by California Streets and Highways Code Section 22565.

FINAL APPROVAL, BY RESOL	UTION NO
ADOPTED BY THE CITY COUN	NCIL OF THE CITY OF SAN
DIEGO, COUNTY OF SAN DIEG	GO, CALIFORNIA, ON THE
DAY OF	, 2008.

Elizabeth Maland, CITY CLERK CITY OF SAN DIEGO STATE OF CALIFORNIA

Executive Summary

Project: Mira Mesa

Maintenance Assessment District

Apportionment Method: Equivalent Benefit Unit (EBU)

1		` '		
	FY 2008	FY 2009 (1)	Maximum (2) Authorized	
Total Parcels Assessed:	18,940	19,012		
Total Estimated Assessment:	\$616,322	\$644,383		
Overlay (All Zones)	\$409,617	\$433,160		
Zone 3 (Additional Cost)	\$206,705	\$211,223		
Total Number of EBUs:	43,315.38	43,315.98		
Zone 1	35,627.37	35,626.92		
Zone 2	5,334.30	5,335.35		
Zone 3	2,353.71	2,353.71		
Assessment Per EBU:				
Zone 1	\$10.00	\$10.00	\$11.36 (3)	
Zone 2	\$10.00	\$10.00	\$11.36 (3)	
Zone 3	\$87.82	\$99.74	\$99.74 (3)	

⁽¹⁾ FY 2009 is the City's Fiscal Year 2009, which begins July 1, 2008 and ends June 30, 2009. Total Parcels Assessed, Total Estimated Assessment, and Total Number of EBUs may vary from prior fiscal year values due to parcel changes and/or land use reclassifications.

Proposition 218 Compliance: The District, originally formed in July 1983, was re-

engineered in Fiscal Year 1998 for compliance with Proposition 218. By a ballot proceeding, majority property owners (73.55% of the weighted vote) approved Fiscal Year 1998 assessments, maximum authorized assessments for subsequent years, and

provisions for annual cost-indexing.

Annual Cost-Indexing: The maximum authorized assessment rate has been

increased based on approved annual cost-indexing

provisions.

Bonds: No bonds will be issued in connection with this

District.

⁽²⁾ Maximum authorized annual amounts subject to cost-indexing provisions as set forth in this Assessment Engineer's Report.

⁽³⁾ Prior year's maximum authorized annual assessment increased by cost-indexing factor of 2.25%.

Background

The Mira Mesa Maintenance Assessment District (District) was established in July 1983. The general purpose of the District was, and still is, to fund the maintenance and operation costs for street trees and shrubs, landscaped medians and rights-of-way, landscaped slopes, street sweeping and litter removal, and additional street lights throughout business and residential neighborhoods.

The District boundary, parcels within the boundary, and benefit apportionment methodology were reviewed and re-formulated in June 1997, primarily for the purpose of compliance with Proposition 218. By a mail ballot proceeding, property owners approved the reengineering with 73.55% of weighted votes supporting the proposed assessments. Over 34% of property owners responded to the mail ballot.

The Assessment Engineer's Report, preliminarily accepted by City of San Diego (City) Council Resolution Number R-288804 on June 8, 1997, proposed Fiscal Year 1998 assessments, maximum authorized assessments for subsequent years, and provisions for annual cost-indexing of the maximum authorized assessments. The Assessment Engineer's Report was approved and assessments confirmed by City Council Resolution Number R-289041 on August 5, 1997.

District Proceedings for Fiscal Year 2009

This District is authorized and administered under the provisions of the "San Diego Maintenance Assessment District Ordinance" (being Division 2, Article 5, Chapter VI beginning at Section 65.0201 of the San Diego Municipal Code), provisions of the "Landscaping and Lighting Act of 1972" (being Part 2 of Division 15 of the California Streets and Highways Code), applicable provisions of "Proposition 218" (being Article XIIID of the California Constitution), and provisions of the "Proposition 218 Omnibus Implementation Act" (being California Senate Bill 919) (the aforementioned provisions are hereinafter referred to collectively as "Assessment Law"). This report has been prepared in compliance with Assessment Law.

The purpose of the proposed proceedings and this Assessment Engineer's Report is to update the District budget and assessments for Fiscal Year 2009. The Fiscal Year 2009 assessments proposed within this Assessment Engineer's Report are equal to or less than the maximum authorized assessment. Therefore, the vote requirements of Section 4 of Article XIIID do not apply to these proceedings.

A public hearing will be scheduled where public testimony will be heard by the Council, and the Council may, at its discretion, adopt a resolution ordering the levying of the proposed assessments.

Bond Declaration

No bonds will be issued in connection with this District.

District Boundary

The Boundary Map and Assessment Diagram for the Mira Mesa Maintenance Assessment District are on file in the Maintenance Assessment Districts section of the Park and Recreation Department of the City of San Diego and by reference are made a part of this report. The Boundary Map and Assessment Diagram for the District are available for public inspection during normal business hours. A reduced copy of the Boundary Map is included as Exhibit A hereto. Exhibit A also depicts three benefit zones established in Fiscal Year 1998. The three benefit zones are as follows:

- ◆ **Zone 1** comprises the majority of the District along Mira Mesa Boulevard, Camino Santa Fe, and Camino Ruiz.
- ♦ **Zone 2** consists of commercial and industrial properties along Mira Mesa Boulevard in the western section of the District. Much of the median and right-of-way landscaping in Zone 2 along Mira Mesa Boulevard is privately maintained by property owners in Zone 2.
- ◆ Zone 3 (in the northeast portion of the District) comprises planned residential developments which front along Mercy and Black Mountain Roads. In Zone 3, the City maintains irrigated landscaped slopes that abut common areas and public rights-ofway.

Project Description

The project to be funded by the proposed assessments is the maintenance of landscaped street medians (with ground cover, trees, and shrubs), paved street medians (including a pedestrian bridge), irrigated rights-of-way, landscaped rights-of-way (with ground cover, trees, and shrubs), gutter sweeping/weed control, sidewalks and curbs, slopes adjacent to rights-of-way (exclusively in Zone 3), and various median street lights. Maintenance activities include, but are not limited to, turf mowing and edging, irrigation, collection and disposal of fallen branches and trees, tree and bush trimming, fertilizing, weeding, and ongoing inspection and repairs.

The location of the improvements being maintained by the District are depicted in Exhibit A. Improvement drawings are on file at Maps and Records in the Development Services Department and are incorporated herein by reference. The improvements and services provided by the District will be maintained in accordance with specifications and contracts on file with the Park and Recreation Department. These documents are available for public inspection during normal business hours.

Separation of General and Special Benefits

Consistent with City policy for the public at large, the City will provide the District with annual contributions from the Gas Tax Fund for median maintenance (31.89¢ per square foot of landscaped median and 13.04¢ per square foot of hardscaped median). The City will also reimburse the District for contractual maintenance performed on library grounds (\$4,627 per acre). In addition, the City will contribute for lighting maintenance and energy costs an amount equivalent to that used for City minimum required streetlights (see City Council Policy 200-18 for lighting standards). These cost allocations, reviewed and adjusted annually by the City, are considered to be "general benefits" administered by the District. All other maintenance, operations, and administration costs associated with the District, which exceed the City's contribution to the public at large, are accordingly considered to be "special benefits" funded by the District.

Cost Estimate

Estimated Costs

Estimated Fiscal Year 2009 annual expenses, revenues, reserves, and assessments (provided by the City) are included as Exhibit B hereto.

As previously described, the District was subdivided into three benefit zones in Fiscal Year 1998 (see Exhibit A). The costs associated with median maintenance in Zones 1, 2, and 3 have been apportioned to all the parcels within the District. These costs are termed "overlay" costs. Additional costs associated with right-of-way parkway and slope maintenance within Zone 3 (termed "Zone 3" costs) have been apportioned to all the parcels within Zone 3. In summary, Zones 1 and 2 are assessed only for their proportionate share of the "overlay" costs, while Zone 3 is assessed for both "overlay" and "Zone 3" costs.

Annual Cost-Indexing

With the passage of Proposition 218, any proposed increase in assessments must be placed for approval before the property owners by a mail ballot and a public hearing process, similar to these proceedings. A majority of ballots received must be affirmative for the City Council to confirm and levy the increased assessments. For small assessment districts or districts with relatively low dollar assessments, the cost of an engineer's report, balloting, and the public hearing process can potentially exceed the total cost of the increase. These incidental costs of the proceedings can be added to the assessments, resulting in even higher assessments.

Indexing assessments annually to the San Diego Consumer Price Index for Urban Consumers (SDCPI-U), as approved by the District property owners in Fiscal Year 1998, allows for minor increases for normal maintenance and operating cost escalation without incurring the costs of the Proposition 218 ballot proceedings. Any significant change in the assessment initiated by an increase in service provided or other significant changes to the District would still require the Proposition 218 proceedings and property owner approval.

The maximum authorized assessment established in the Fiscal Year 1998 proceedings are authorized to be indexed (increased or

decreased) annually by the factor published in the SDCPI-U. The maximum authorized assessment rates contained within this Assessment Engineer's Report have been indexed in accordance with these cost-indexing provisions.

Method of Apportionment

Estimated Benefit of the Improvements

In general, the improvements consist of median and right-of-way landscaping along Mira Mesa Boulevard and other major and arterial streets throughout the District. The major and arterial streets within the District are the backbone of the street network within the community. They serve as the primary access routes for inter-community and intracommunity trips and thus serve all parcels within the community. All parcels within the District benefit from the enhancement of these streets and the enhanced community image, aesthetics, and public safety provided by the improvements being maintained by the District.

The Transportation Element of the City's General Plan and the general policy recommendations found in the Mira Mesa Community Plan establish several goals for the community's transportation system. The improvements being maintained by this District are consistent with the Plans' goals for safety and pleasing aesthetics. The maintenance for these enhanced assets has historically been funded though the District.

Apportionment Methodology

The total cost for maintenance of the improvements will be assessed to the various parcels in the District in proportion to the estimated Equivalent Benefit Units (EBUs) assigned to a parcel in relationship to the total EBUs of all the parcels in the District.

EBUs for each parcel have been determined as a function of three factors, a Land Use Factor, a Benefit Factor, and a Location Factor, related as shown in the following equation:

EBUs = (Acres or Units) x Land Use Factor x Benefit Factor x Location Factor

Each of these factors is discussed and developed below.

Land Use Factor

Since the improvements to be maintained by the District are primarily associated with the Transportation Element of the General and Community Plans, trip generation rates for various land use categories (as previously established by the City's Transportation Planning Section) have been used as the primary basis for the development of Land Use Factors. While these trip generation rates strictly address only vehicular trips, they are also considered to approximately reflect relative trip generation for other modes of transportation (e.g., pedestrian trips, bicycle trips, etc.), and are considered the best available information for these other transportation modes.

The special benefits of landscape improvements maintained by the District are linked to trip generation primarily by the public safety and aesthetic enhancement enjoyed by travelers through the community. Trip generation rates provide the required nexus and basis for assigning ratios of maximum potential benefit to the various land use/zoning classifications as defined by the City's Municipal Code. Land use/zoning classifications have been grouped with averaged trip generation rates assigned to establish the Land Use Factors as shown in Table 1.

TABLE 1: Land Use Factors

Land Use/Zoning	Code	Land Use Factor
Residential – Single Family (detached)	SFD	1.0 per dwelling unit
Residential – Condominium	CND	0.7 per dwelling unit
Residential – Multi-Family & Apartment	MFR	0.7 per dwelling unit
Residential – Duplex	DUP	0.7 per dwelling unit
Residential – Convalescent & Retirement Home	CNV	0.3 per dwelling unit
Residential – Mobile Home	MOB	0.5 per dwelling unit
Agricultural	AGR	0.02 per acre
Commercial – Office & Retail	COM	45.0 per acre
Educational – College & University	ECU	9.0 per acre
Educational – Primary & Secondary	EPS	5.0 per acre
Fire/Police Station	FPS	15.0 per acre
House of Worship	CRH	2.8 per acre
Industrial	IND	15.0 per acre
Library	LIB	40.0 per acre
Open Space (designated)	OSP	0.0 per acre
Park – Developed	PKD	5.0 per acre
Park – Undeveloped	PKU	0.5 per acre
Post Office	PST	15.0 per acre
Recreational Facility	REC	3.0 per acre
Street/Roadway	STR	0.0 per acre
Utility Facility	UTL	3.0 per acre

Designated Open Space serves primarily to preserve natural landscape and habitat. While access for study and passive recreation is sometimes permitted, these activities are usually allowed only to the limited extent consistent with the primary purpose of natural preservation. Since this land is essentially "unused" in the customary terms of land use (which relate to human use, not use by nature), the trip generation rate is zero. Therefore, the designated Open Space receives no benefit from the Transportation Element and has been assigned a Land Use Factor of zero.

The Recreational Facility category includes those which consist primarily of concentrated facilities, such as swimming pools, gymnasiums, racquetball clubs, etc. Recreational facilities of a more dispersed nature (e.g., golf courses, parks, etc.) have been categorized separately.

While those traveling streets and roadways enjoy the improvements maintained by the District during their travel, the

actual benefit of this enjoyment accrues to the lands at the origins and destinations of their trips, not to the lands of the streets and roadways, themselves. Accordingly, the Streets/Roadways category receives no benefit and has been assigned a Land Use Factor of zero.

Vacant undeveloped lands zoned for multi-family residential use have been assessed based on a projection of potential units. The projections were based on the current zoning density (dwelling units per acre) and an adjusted parcel area (50% of gross parcel area used to estimate net developable area).

Benefit Factor

The Land Use Factor described above reflects the relative intensity of use (or potential use) of the various parcels of land to be assessed. It does not address the relationship of this use to the specific improvements to be maintained by the District. This relationship is reflected in the Benefit Factor utilized in the assessment methodology.

In determining the Benefit Factor for each land use category, the subcomponents of the benefits of District improvements considered may include some or all of the following: public safety, view corridors and aesthetics, enhancement of community identity, drainage corridors, and recreational potential. As Benefit Factors and their subcomponents are intended to reflect the particular relationships between specific land uses within a district and the specific improvements maintained by the district, Benefit Factors will generally vary from one district to another, based on the specific character and nature of the applicable land uses and improvements maintained.

The applicable benefit subcomponents and resultant composite Benefit Factors determined for the various land use/zoning categories within this District are as shown in Table 2.

TABLE 2: Benefit Factors by Land Use

Land Use/Zoning	Public Safety (max. 0.4)	Aesthetics (max. 0.6)	Composite Benefit Factor (max. 1.0)
Residential – All	0.4	0.6	1.0
Agricultural	0.4	0.0	0.4
Commercial – Office & Retail	0.4	0.4	0.8
Educational – College & University	0.4	0.2	0.6
Educational – Primary & Secondary	0.4	0.2	0.6
Fire/Police Station	0.4	0.4	0.8
House of Worship	0.4	0.2	0.6
Industrial	0.4	0.2	0.6
Library	0.4	0.4	0.8
Open Space (designated)	0.4	0.0	0.4
Park – Developed	0.4	0.0	0.4
Park – Undeveloped	0.4	0.0	0.4
Post Office	0.4	0.4	0.8
Recreational Facility	0.4	0.3	0.7
Street/Roadway	0.4	0.0	0.4
Utility Facility	0.4	0.0	0.4

Public Safety. All land uses are considered to receive the maximum available benefit from the public safety element of District improvements. Public safety is essential to all land uses, and even to lands, such as designated Open Space, held in stewardship with only incidental human use.

Aesthetics. The degree of benefit received from the aesthetic qualities of landscaped and hardscaped roadway medians and rights-of-way maintained by the District varies among land use categories. Generally, by nature of their use, residential lands receive the greatest benefit from the reduced traffic congestion, reduced noise levels, greater separation from traffic and generally more tranquil environment provided by landscaped and hardscaped roadway medians and rights-of-way.

Commercial and institutional uses, on the other hand, often thrive on higher densities, greater traffic access, and a higher level of activity in the vicinity of their enterprises. These uses, accordingly, receive a lesser degree of benefit from the general insulation and separation provided by the aesthetic elements of District improvements.

Lands in the Agricultural, Open Space, Parks, and Street/Roadway categories are considered to receive no significant benefit from the aesthetic elements of District improvements, as enhanced aesthetic quality of other lands in their vicinity does not affect their function, use, or value.

Location Factor

As previously described, the District was subdivided into three benefit zones in Fiscal Year 1998 (see Exhibit A). The benefits associated with District improvements vary between the zones. This variation in benefit is reflected by the Location Factor.

Zones 1 and 3 were established as the "base" zones and were assigned a Location Factor of 1.0. In Zone 2, a large percentage of median and right-of-way landscaping is maintained by Zone 2 property owners. As a result, Zone 2 parcels receive a lesser degree of benefit in proportion to the parcels in Zone 1. However, Zone 2 parcels do benefit from the maintenance of improvements in Zone 2 and throughout Zones 1 and 3. Accordingly, Zone 2 has been assigned a Location Factor of 0.5.

Table 3 summarizes the proposed Location Factors for the three benefit zones within the District.

TABLE 3: Location Factors by Zone

Zone	Location Factor
Zone 1	1.0
Zone 2	0.5
Zone 3	1.0

Equivalent Benefit Units (EBUs)

As described above, the number of Equivalent Benefit Units (EBUs) assigned to each parcel in the District has been calculated, based on the preceding factors, as follows:

EBUs = (Acres or Units) x Land Use Factor x Benefit Factor x Location Factor

Based on the above formula, the EBUs calculated for each property, can be found in the Assessment Roll (Exhibit C).

Summary Results

The District Boundary is presented in Exhibit A.

An estimate of the costs of the improvements provided by the District is included as Exhibit B to this report.

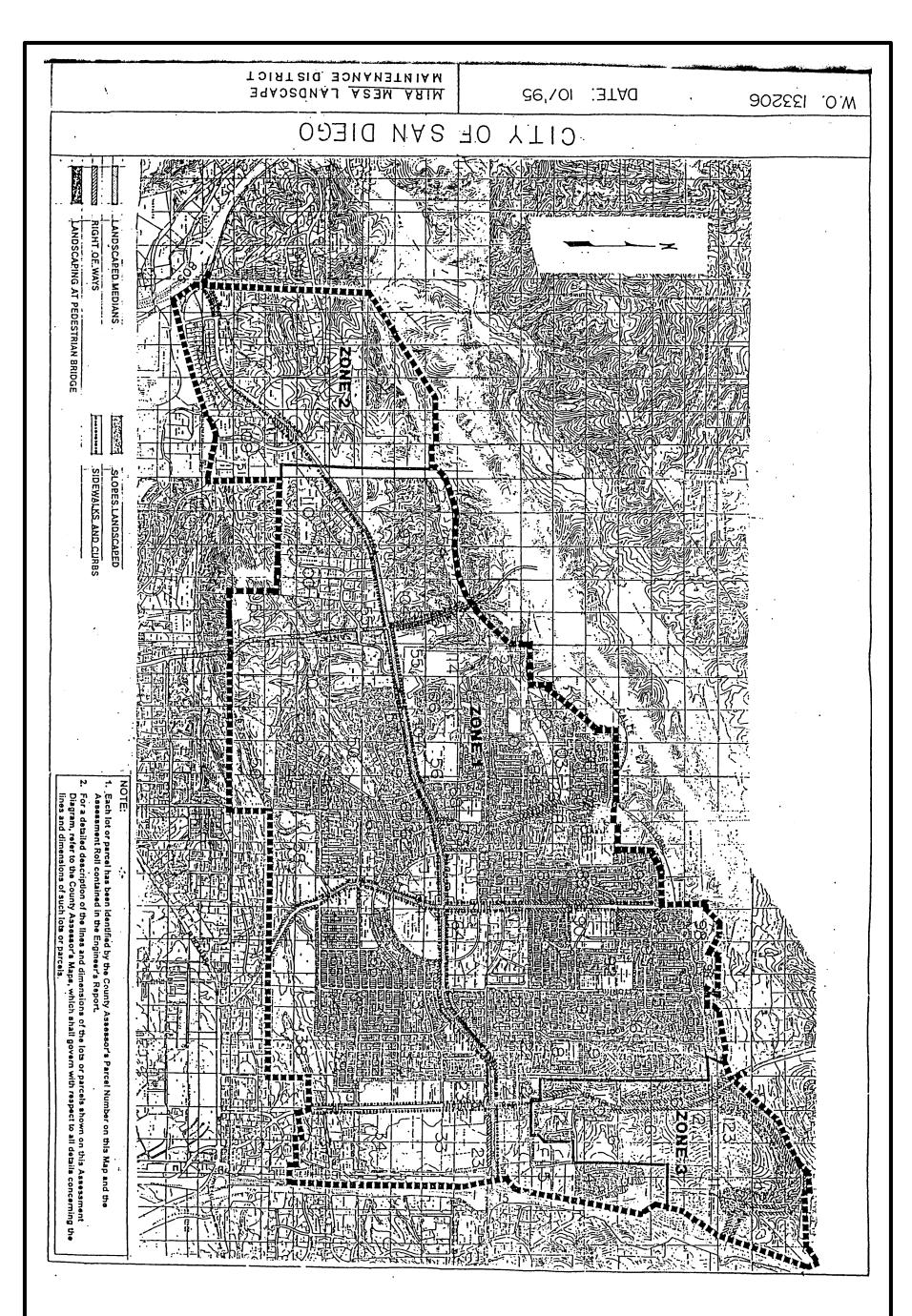
The assessment methodology utilized is as described in the text of this report. Based on this methodology, the EBUs and Fiscal Year 2009 District assessment for each parcel were calculated and are shown in the Assessment Roll (Exhibit C).

Each lot or parcel of land within the District has been identified by unique County Assessor's Parcel Number on the Assessment Roll and the Boundary Map and Assessment Diagram referenced herein. The net assessment for each parcel for Fiscal Year 2009 can be found on the Assessment Roll.

This report has been prepared and respectfully submitted by:

I,, as CITY OF SAN DIEGO, CALIFORNIA, do hereby certify Roll, together with the Assessment Diagram, both or in my office on the day of	that the Assessment as shown on the Assessment f which are incorporated into this report, were filed
	Elizabeth Maland, CITY CLERK CITY OF SAN DIEGO STATE OF CALIFORNIA
I,, as CITY OF SAN DIEGO, CALIFORNIA, do hereby certify Assessment Diagram incorporated into this report, v COUNCIL of said City on the day of	that the foregoing Assessment, together with the vas approved and confirmed by the CITY
	Elizabeth Maland, CITY CLERK CITY OF SAN DIEGO STATE OF CALIFORNIA
I,, as CITY COUNTY OF SAN DIEGO, CALIFORNIA, do her with the Assessment Diagram was recorded in my o 2008.	reby certify that the foregoing Assessment, together
	Afshin Oskoui, CITY ENGINEER CITY OF SAN DIEGO STATE OF CALIFORNIA

EXHIBIT A



MIRA MESA
Maintenance Assessment District

EXHIBIT A

EXHIBIT B

EXHIBIT B - Estimated Annual Expenses, Revenues & Reserves

Mira Mesa - Fund 70223

	FY 2007 BUDGET		FY 2008 BUDGET		FY 2009 BUDGET	
BALANCE FROM PRIOR YEAR	\$	582,773	\$	593,124	\$	825,147
REVENUE						
Assessments	\$	615,243	\$	616,322	\$	644,383
Interest	\$	10,600	\$ \$	13,000	\$	14,000
Environmental Growth Fund	\$	19,767	\$	19,767	\$	19,767
Gas Tax Fund	\$	96,416	\$	106,179	\$	106,170
General Fund	\$	6,423	\$	6,423	\$	6,616
Miscellaneous	\$ \$ \$	-	\$ \$ \$	-	\$	-
TOTAL REVENUE	\$	748,449	\$	761,691	\$	790,936
TOTAL BALANCE AND REVENUE	\$	1,331,222	\$	1,354,815	\$	1,616,083
EXPENSE						
OPERATING EXPENSE						
Personnel	\$	69,616	\$	72,970	\$	74,794
Contractual	\$	505,042	\$	496,482	\$	449,898
Incidental	\$ \$ \$	133,351	\$	115,243	\$	75,997
Utilities	\$	137,954	<u>\$</u> \$	177,246	\$	195,433
TOTAL OPERATING EXPENSE	\$	845,963	\$	861,941	\$	796,122
RESERVE						
Contingency Reserve	\$	561,866	\$	492,874	\$	819,961
TOTAL RESERVE	\$	561,866	\$	492,874	\$	819,961
BALANCE	\$	(76,607)	\$	(0)	\$	(0)
TOTAL RESERVE, EXPENSE AND BALANCE	\$	1,331,222	\$	1,354,815	\$	1,616,083

EXHIBIT C

Due to the size of the Assessment Roll (Exhibit C), only limited copies are available. Please contact the City of San Diego, Park & Recreation Department, Open Space Division, Maintenance Assessment Districts Program at (619) 685-1350 to review the Assessment Roll.